

Notice of Allowability

Application No.

09/928,907

Examiner

Courtney D. Fields

Applicant(s)

YAMAMOTO ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 20 June 2007.
2. ☒ The allowed claim(s) is/are 1-3, 5-13, 15-29 and 32-39.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 21,25,37, and 39 have been amended.
2. Claims 1-3, 5-13, 15-29, and 32-39 are pending.

Response to Arguments

3. Applicant's arguments filed 20 June 2007 have been fully considered and they are persuasive.

Allowable Subject Matter

4. **Claims 1-3, 5-13, 15-29, and 32-39 are allowed.**
5. The following is an examiner's statement of reasons for allowance: The present invention is directed to an executable module generating decryption of an encrypted protective object in order to protect against unauthorized duplication of a library file. Each independent claim identifies the uniquely distinct features **"adding dummy data to a protect code within an information processing unit"**.

The closest prior art, Glover (US Patent No. 6,052,780) discloses mechanisms for protecting digital information from being copied and mechanisms which permit authorized execution of computer program code or access to other digital information which is encrypted or otherwise encoded. However, either singularly or in combination, Glover fail to anticipate or render the claimed limitation the feature of adding dummy data to protect code within an information processing unit.

The closest prior art, Watanabe (US Patent No. 6,067,626) discloses a portable terminal device includes an information processing unit having a CPU which is a non-operating state, and an interface unit. When a data informing transmission of valid data is received from an external unit, the interface unit requests the external unit to stop the transmission of the valid data. At the same time, the interface unit transmits serial dummy data to the information processing unit. When the CPU is switched from a non-operating state to an operating state in response to reception of the serial dummy data, the interface unit requests the external unit to restart the transmission of the valid data. The interface unit transmits the valid data the information processing unit in serial. The CPU processes the valid data. However, either singularly or in combination, Watanabe fail to anticipate or render the claimed limitation the feature of adding dummy data to protect code within an information processing unit.

6. Therefore, **claims 1,11-12,21,23-28,37, and 39**, and the respective **dependent claims 2-3, 5-10,13,15-20,22,29,32-36, and 38** are in condition for allowance.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-

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272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

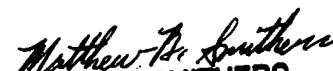
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



cdf

August 1, 2007


MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137